

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 1911 – SB 1876

March 14, 2016

SUMMARY OF ORIGINAL BILL: Authorizes animal control agencies to seize and take custody of any dog found trespassing on the premises of another, if the dog is found by the owner of the premises, to be attacking an animal belonging to the owner. Such authorization does not apply if the attack occurs in response to instigation by the owner of the premises or an animal belonging to the owner.

FISCAL IMPACT OF ORIGINAL BILL:

Increase Local Revenue – Exceeds \$100/Per Instance/Permissive

Increase Local Expenditures – Exceeds \$100/Per Instance/Permissive

SUMMARY OF AMENDMENT (013790): Deletes and rewrites subsection (j) of the original bill to authorize local government entities to authorize, by resolution or ordinance, an animal control agency to seize and take into custody any dog found trespassing on the premises of another.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

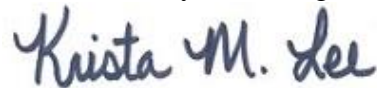
- Animal control agencies are administratively attached to local government entities; therefore, it is assumed this bill as amended is only applicable to local governments. Any impact to state government is considered not significant.
- There will be a permissive increase in local government expenditures anytime an animal control officer seizes and takes custody of a dog.
- Local governments may recover a portion of such costs through fees charged to the owners once the dog is recovered from animal control.

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- The total statewide amounts of permissively increased local expenditures and permissively increased revenue is dependent on several unknown factors such as the number of local entities that will pass an ordinance or resolution for an animal control agency to seize and take a trespassing dog into custody, the total number of dogs that will be seized statewide in any given year pursuant to the provisions of the bill as amended, space availability and cost structure of any animal control facility housing a seized dog, the number of dog owners, or subsequent adoptive owners, that will eventually claim the dog and pay any applicable fees, and the length of time any such dog is housed within an animal control facility.
- Given the extent of unknown factors, determining a precise impact to local government is difficult to determine. However, it is reasonable to assume that the number of dogs that animal control officers will seize that will be directly attributable to the provisions of this bill as amended will not be drastically different than the number of dogs that would be seized under current law. To the extent a dog is seized under the provisions of this amended bill, but would not be seized under current law, there would be a permissive increase in local expenditures reasonably estimated to exceed \$100 per seizure.
- The permissive increase in local revenue resulting from fees collected from the original owner, or new, adoptive owner are reasonably estimated to exceed \$100 per seizure.
- Based on information provided by local government sources, animal control personnel seizing a dog trespassing on private property could increase liability for the animal control agency and increase the probability for additional litigation. The extent of any related costs are estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista M. Lee, Executive Director

/amj